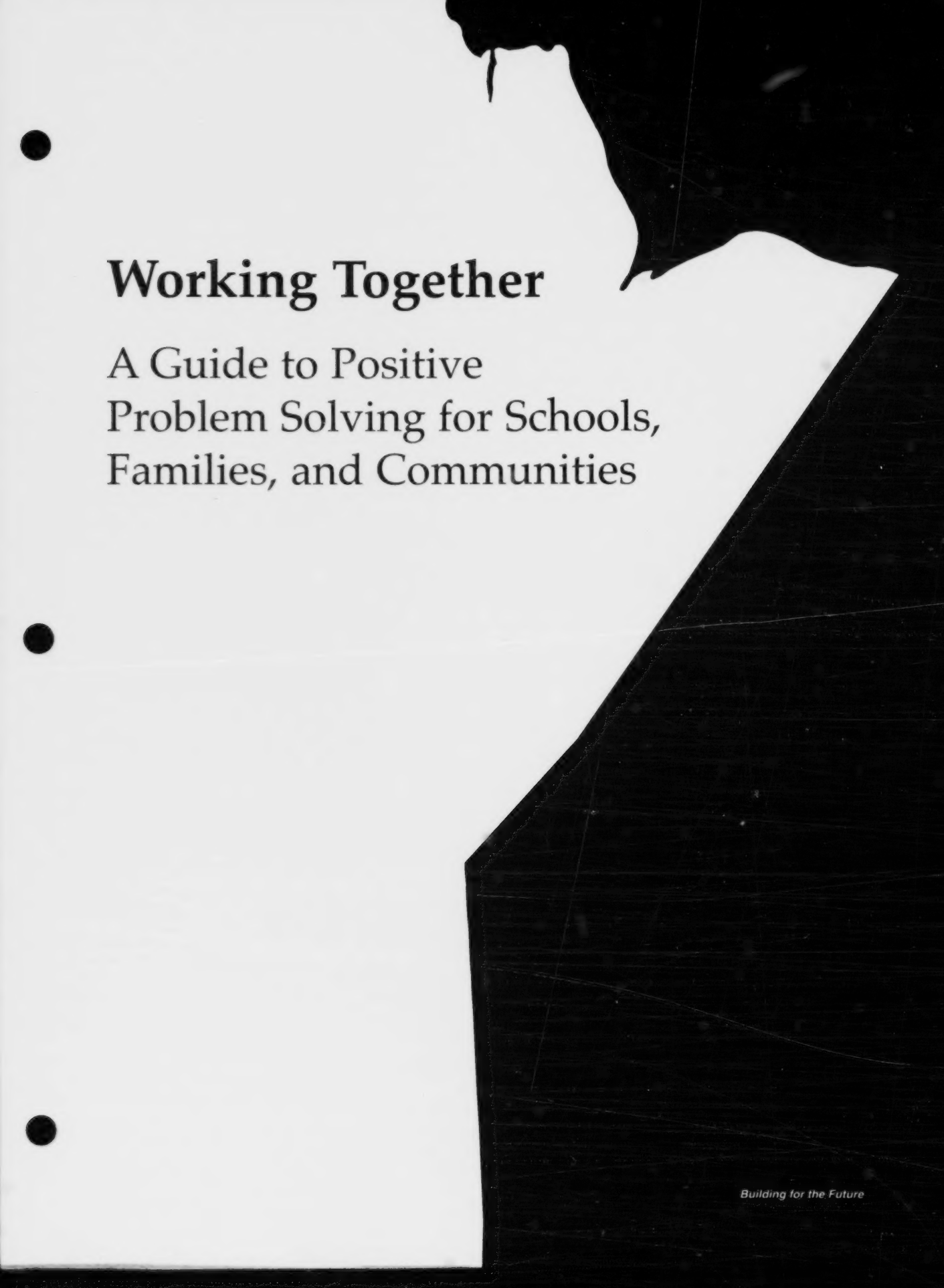
Working Together

A Guide to Positive Problem Solving for Schools, Families, and Communities



Building for the Future

104-04431/

WORKING TOGETHER

A Guide to Positive Problem Solving
for Schools, Families, and Communities

2004

Manitoba Education, Citizenship and Youth

Manitoba Education, Citizenship and Youth Cataloguing in Publication Data

371.19 Working together : a guide to positive problem solving for schools, families, and communities

Includes bibliographical references.
ISBN 0-7711-3166-6

1. Conflict management. 2. Home and school. 3. Parent-teacher relationships. 4. Community and school. I. Manitoba. Manitoba Education, Citizenship and Youth.

Copyright © 2004, the Crown in Right of Manitoba as represented by the Minister of Education, Citizenship and Youth. Manitoba Education, Citizenship and Youth, School Programs Division, 1970 Ness Avenue, Winnipeg, Manitoba R3J 0Y9.

Every effort has been made to acknowledge original sources and to comply with copyright law. If cases are identified where this has not been done, please notify Manitoba Education, Citizenship and Youth. Errors or omissions will be corrected in a future edition. Sincere thanks to the authors and publishers who allowed their original material to be adapted or reproduced.

ACKNOWLEDGEMENTS

Manitoba Education, Citizenship and Youth gratefully acknowledges the contributions of the following individuals in the development of *Working Together: A Guide to Positive Problem Solving for Schools, Families, and Communities.*

Writer

Suzanne Matczuk

Development Team

Diane Beresford	Manitoba Teachers' Society
Sharon Burns	Manitoba Association of Parent Councils
Pat Burgess	Student Services Administrators Association of Manitoba
Ray Derksen	Manitoba Association of School Superintendents
Diane Duma	Manitoba Association of Parent Councils
Paul Gillespie	Student Services Administrators Association of Manitoba
Ramona Gallos	Manitoba Association of School Trustees
Deb Geisbrecht	Manitoba Association of Parent Councils
Brett Lough	Manitoba Association of School Superintendents
Laura Reimer	Manitoba Association of School Trustees
Rab Subedar	Manitoba First Nations Education Resource Centre
Neil Whitley	Manitoba Association of School Superintendents

School Programs Division, Manitoba Education, Citizenship and Youth Staff

Joanna Blais	Project Co-Lead	School Support Unit Program and Student Services Branch
Lee-Ila Bothe	Coordinator	Production Support Unit Program Development Branch
Carol-Anne Browning	Project Manager	Program and Student Services Branch
Neil Butchard	Consultant (before June 2003)	School Support Unit Program and Student Services Branch
Allan Hawkins	Consultant	School Support Unit Program and Student Services Branch
Darryl Johnson	Consultant	School Support Unit Program and Student Services Branch
Grant Moore	Publications Editor	Production Support Unit Program Development Branch
Joanne Muller	Consultant	Administration Unit Education Administration Services Branch
Tim Pohl	Desktop Publisher	Production Support Unit Program Development Branch
Tim Thorne-Tjomsland	Project Co-Lead	School Support Unit Program and Student Services Branch

TABLE OF CONTENTS

Introduction *3*

Chapter 1: Building a Positive School Environment *5*

Chapter 2: Principles of Dispute Resolution *9*

Chapter 3: Approaches to Dispute Resolution *11*

Chapter 4: Helpful Hints *21*

Appendix 1: Rights, Responsibilities, Duties, and Powers *27*

Appendix 2: Problem-Solving/Dispute Resolution Checklist *33*

Appendix 3: Dispute Resolution: Troubleshooting Checklist *35*

Appendix 4: Common Questions *37*

Suggested Resources *43*

Bibliography *47*

INTRODUCTION

The purpose of this guide is to give everyone—parents,* educators, and community members alike—the information to take part in the co-operative, creative problem-solving process of informal dispute resolution. It is intended to serve as a resource support to local school and school division** dispute resolution policies and practices. Many schools and school divisions have dispute resolution policies in place, and for them it will serve as supplemental material.

Manitoba schools are diverse centres of learning and activity. Educators, parents, and administrators work together on a daily basis to create safe, respectful, and positive schools where each student has the opportunity to do his or her best. We all co-operate to make this happen. But even in the most positive school environment, disagreements or misunderstandings are bound to come up.

Different opinions are a natural part of working relationships. Sometimes these differences can lead to disagreements or even disputes. This, in itself, is neither positive nor negative. It is the way in which we choose to handle these differences that can lead to positive or negative outcomes. When we try to solve our problems in a fair and co-operative way, we are able to resolve our differences positively. This, in turn, helps build a positive environment in our schools. We all benefit from a positive school environment. It is the student who benefits the most.

A positive school environment is a place where each person's opinions are allowed and expressed, respected, and listened to. In order for this to take place, each person in the education system must feel included. Manitoba Education, Citizenship and Youth stands behind this principle:

> Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and equal access to the benefits of citizenship. In Manitoba we embrace inclusion as a means of enhancing the well-being of every member of the community. By working together, we strengthen our capacity to provide the foundation for a richer future for all of us. (*Philosophy of Inclusion*, Manitoba Education, Training and Youth, 2001.)

Working together to create the kind of environment where disagreements do not become disputes is a worthwhile goal. It is important to keep in mind, however, that dispute resolution is not about avoiding dispute at all costs. When we take positive approaches to resolving our disputes, we are creating opportunities to build strong working relationships. When our relationships are built with trust, respect, and creative problem solving, we are setting positive examples for our students.

---

* *The term "parent" is used throughout this document to refer to parents, guardians, or others who have responsibility for caring for students.*

** *Parents whose children attend independent schools should contact their school for information about local governance.*

There are many approaches to dispute resolution. They range from informal to formal. Informal approaches include problem solving, negotiation, and conciliation. These are the most efficient approaches to resolving disputes; they are also the most flexible, productive, and rewarding. The more informal the approach, the more control people have over the outcome. When we are willing to begin a dispute resolution process by sitting down and talking with the person or people who are the most directly involved, we are creating an opportunity for everyone to achieve their goals.

While there are many benefits to informal dispute resolution, it may not be possible in all situations. If a child is in need of protection, informal approaches cannot be used. If legal issues are involved, informal approaches may not be advisable.

It is important for everyone, especially the student, that adults resolve disputes as quickly and reasonably as possible. The way in which we come together to resolve our differences not only shapes the relationships among our schools, families, and communities, it shapes the students' experience in the education system.

Dispute resolution has been studied, taught, written about, and discussed. Workshops, seminars, courses, pamphlets, and books are widely available. Organizations, ranging from schools to government departments to banks, have adopted dispute resolution policies. These policies outline what to do once a dispute arises, and what steps can be taken to see it resolved positively.

It is the right of every child in Manitoba to receive an education. It is the responsibility of each one of us to work together to give each child the best education possible.

Note: This is not a policy document. This is a resource provided by Manitoba Education, Citizenship and Youth to support dispute resolution at the local level, where most decisions about day-to-day school matters are made. The Minister of Education, Citizenship and Youth makes decisions based on a wide range of "big picture" responsibilities having to do with education matters throughout the province.

Manitoba Education, Citizenship and Youth is available to provide information about a wide range of topics, including information that can be helpful for people who are trying to resolve disputes. Support from Manitoba Education, Citizenship and Youth may also be available when more direct facilitation might help people move towards resolution.

"By working together, we strengthen our capacity to provide the foundation for a richer future for all of us."

(*Philosophy of Inclusion*, Manitoba Education, Training and Youth, 2001.)

CHAPTER 1: BUILDING A POSITIVE SCHOOL ENVIRONMENT

We can all work together to create open, caring school environments. These are the kind of places where issues can be resolved long before they become disputes. If disputes do come up, they can be resolved quickly and fairly. In positive school environments, people feel welcomed, valued, and safe. They treat each other with respect and they recognize their role in contributing toward solutions.

No school is run by a single person or idea. Schools are run by a system of teachers, administrators, principals, superintendents, school boards, government bodies, and certain principles and rules. Students, parents, family, and community members also affect the way schools are run. All of these people have their own opinions and points of view, but they share one common interest and goal: to provide the best education possible for students.

Parents, families, and community members play a very important role in the education system. It is important for them to realize how much influence they can have over students and schools, especially when they become involved in school matters. It is important for educators and school administrators to recognize and respect the benefits of this involvement by encouraging communication between families and schools.

George J. Michel, who has researched and written extensively on education reform, believes that parents are very influential in the school community. In his book *Building Schools*, he states, "One of the central ideas of parent involvement is that student behaviour, achievement and discipline in a school can be improved and changed if parents are involved and become committed to school decisions." He concludes, "Basic research shows that student achievement can be increased by including and working with parents."

> The first step for building strong relationships in schools is the first step for building any strong relationship: talk to each other.

When families and schools work together, relationships are formed. These relationships can be positive or negative, depending on how people choose to treat each other. The first step for building strong relationships in schools is the first step for building any strong relationship: talk to each other. The more we communicate our hopes, desires, and needs within the school system, the more ideas and solutions we will have to discuss, the more plans we will have to put into action, and the more support and enthusiasm we will have for seeing those plans through.

There are many ways for families, community members, and schools to communicate with one another. For example, there are scheduled school events, like informal "meet the teacher" orientations or opening day conferences at the beginning of the school year. Events like these are designed to encourage communication between families and schools. But there may be times outside these events when a parent may wish to offer a compliment, ask a question, or voice a concern. If this is the case, the parent or community member should feel free to contact the school. Likewise, if a teacher has a compliment, question, or concern, that teacher should not hesitate to speak with the student and/or the parent(s). Misunderstandings or disagreements can often be cleared up with simple phone calls or brief meetings.

It is important to communicate often, but it is also important to communicate well. Good communication is about speaking and listening actively and respectfully. It is about not making assumptions and not having your mind made up before entering a conversation. It is about more than just listening; it is about *hearing*. It is about looking, sounding, and acting like you are hearing. Sometimes when people feel like they have not been heard, they say the same thing over and over, louder and louder, until they feel they have been heard—or, worse yet, they may stop trying all together.

- Epstein, Joyce. *Involving parents in education* [videocassette]. Alexandria, VA: Association for Supervision and Curriculum Development, 1992.
- Epstein, Joyce. *Parents our partners: a look at parent involvement in Langley schools* [videocassette]. Langley, BC: Rogers Community 4 Langley NTV, 1995.
- Epstein, Joyce. *School, Family, and Community Partnerships: Preparing Educators and Improving Schools*. Boulder, CO: Westview Press, 2001.

Respectful communication builds trust, and trust is a cornerstone of all good relationships. In a positive school environment where there is trust and where good communication happens often, conversations between families and schools happen naturally. When people are used to speaking with one another, asking questions, and offering opinions, issues can be discussed in a co-operative and solution-oriented way. Problems do not have to be stumbling blocks. Problems can be opportunities to work together to find positive and creative solutions.

In a positive school environment, situations will rarely escalate into disputes—but sometimes they will. Disputes take place when two or more people are in disagreement over interests, principles, or goals. This is bound to happen once in a while. When and if people do become involved in a dispute, a caring, positive environment is the best place for resolving it in a friendly and informal way.

How can we contribute to creating a positive school environment?

By understanding the important role that we as parents, educators, and community members play in the education and development of students, we are all able to contribute positively to each student's experience within the education system.

Parents, educators, and community members contribute to a positive school environment by encouraging students to practise positive school habits. The kind of peaceful and productive environment that is so important for resolving disputes is also the kind of environment where students tend to thrive.

Educators contribute to a positive school environment by keeping the best interests of the student in mind at all times, being mindful of the learning needs of each student, and encouraging positive communication between families and schools. Educators have a responsibility to speak respectfully about school and education when communicating with students, parents, and community members.

Parents are strongly encouraged to show support for their children's school. By participating in, volunteering at, or going to school functions and activities, parents help build strong relationships between home and school. By showing an interest in school matters, parents send positive messages about school, which sets positive examples for students.

Every parent, educator, administrator, and student has unique insight into school matters. Each person's contribution is valuable and should be valued. Educators are professionals with training and experience and their conduct is guided by professional codes of practice. Parents, on the other hand, know their own child better than anyone. When shared, this knowledge can be an invaluable resource in student-related school issues.

CHAPTER 2: PRINCIPLES OF DISPUTE RESOLUTION

Student Centred: The student is not only the common ground between families, schools, and communities; the student is the reason we are here. Dispute resolution is not about winning or losing, it is about identifying and supporting the needs of students within their learning environments at all times.

There are many principles at work in dispute resolution. When everyone is committed to these principles, resolution at a local level is positive and co-operative. These principles help keep the process fair and flexible:

Acceptance: It is important to accept one another's differences as well as the process and the outcome. Acceptance requires an open mind. People do not always behave the way we want them to behave, things do not always go the way we want them to go, and they do not always end the way we want them to end. Generally, people in a dispute work toward consensus, but there are times when the best solution is to reach a compromise, or to agree to disagree.

Accessibility: People who are involved in a dispute should have access to every support available to them, including information about the process and their options. Not only should procedures and protocols be clear and available, the people themselves should be open, approachable, and accessible.

Balance of Power: Successful dispute resolution depends on a "level playing field" or balance of power. This does not mean we should all have the same powers or responsibilities, because in reality we do not. For example, a principal clearly has different responsibilities than a parent, and a bus driver has different responsibilities than a teacher. We can, however, work together to create an environment where all ideas are equally valued. This allows everyone to share in the process as well as the solutions. If people in dispute can perceive a situation as having balance, they will feel they have an opportunity to have an impact on the outcome.

Building Trust: Trust is built on positive and respectful relationships. Such relationships, whether they exist inside or outside of school, are built with ongoing commitment, honesty, and effort. Many of the principles of successful dispute resolution require trust. Trust is necessary for building the positive, caring climate that is so important to begin any co-operative problem-solving process.

Communication: Good communication is about listening and speaking carefully and respectfully. When resolving a dispute, everyone involved should feel invited and encouraged to ask questions, discuss positions, and explore solutions. They should feel like they can offer and receive criticism without anyone becoming angry or defensive. Logic and consistency are important, but so is making a place for (acceptable) emotion. Body language can communicate as much as or more than the spoken word. It is important to be aware of positive ways to communicate without speaking—by making eye contact, for example, and by appearing open, attentive, alert, and non-threatening.

Fairness: In order to be a success, the informal dispute resolution process must be fair and equitable. Each person involved in resolving a dispute must feel like he or she is playing an active role in a process that is fair for

everyone. They should feel like they are helping to find fair solutions and to make fair decisions about a fair outcome.

Motivation: When resolving a dispute, each person must be motivated toward positive, realistic solutions that work for everyone. Sometimes people begin with good intentions, but if those intentions become sidetracked or unclear, it is important to refocus the issues and the goals, and to re-examine the motivations. For example, being motivated to be right, or to be proven right for the sake of being right, is neither positive nor productive. Being motivated to work toward what is best for the student is always a worthwhile goal. Making assumptions about the motivations of others is often a major cause of communication breakdown.

Mutual Respect: When we treat each other the way we would like to be treated ourselves, we create the kind of positive climate that is ideal for resolving disputes informally.

Recognition of Diversity: It is important to be mindful of how diversity can affect the dispute resolution process. Each one of us has different ways of understanding, and different ways of expressing that understanding. We must accept and respect these differences. Informal dispute resolution is about finding positive solutions that work for everyone. It is not about judging or trying to change each other's minds.

Student Centred: The student is not only the common ground between families, schools, and communities; the student is the reason we are here. Dispute resolution is not about winning or losing. It is about identifying and supporting the needs of students within their learning environments at all times.

Willingness: In order for the informal dispute resolution process to work, everyone involved must be willing to make it work. This means being willing to trust the process, trust one another, and work together toward realistic, attainable solutions.

CHAPTER 3: APPROACHES TO DISPUTE RESOLUTION

Before You Begin

Most disputes can be resolved, and most disputes are worth resolving. By working together to resolve disputes, everyone benefits from the results. When no attempts are made to resolve differences in a fair and friendly way, the education of the student and the life of the family can be disrupted. Stress can be placed upon school employees, and resources can be strained. It is in the best interest of everyone, especially the student, to try to resolve disputes as quickly and fairly as possible.

One way of dealing with disputes is to ignore them, but this may not produce the desired results. In many cases, a dispute left unresolved could become a larger issue than it was to begin with. Once you have made a decision to resolve a dispute, it is important to explore your options and decide upon the next step.

Before taking action in any dispute resolution process, it is worth taking some time to carefully consider the situation and ask these questions.

- What exactly is the dispute about?
- Who is involved in the dispute?
- Is the issue important enough to pursue?
- Is this something that can be worked out by me and the other person or people who are involved in the dispute?
- Am I willing to work this out with the other person or people who are involved in the dispute?
- What would solve the problem for me?
- How would I like to see the dispute resolved?
- What are the benefits of this particular resolution?
- If the dispute has to do with a student, how will that student benefit?
- Do I have all the information I need about the situation, the school, the resources that are available to me, and the policies that may be in place?

If you have decided that it is worthwhile to begin a dispute resolution process, the next step is to decide on an approach.

Just as there are many ways to become involved in a dispute, there are many ways to resolve a dispute. Basic elements of problem solving can be found in every approach. The differences have to do with how much control people have over the process, how much control outside parties have over the process, and how formal the process is.

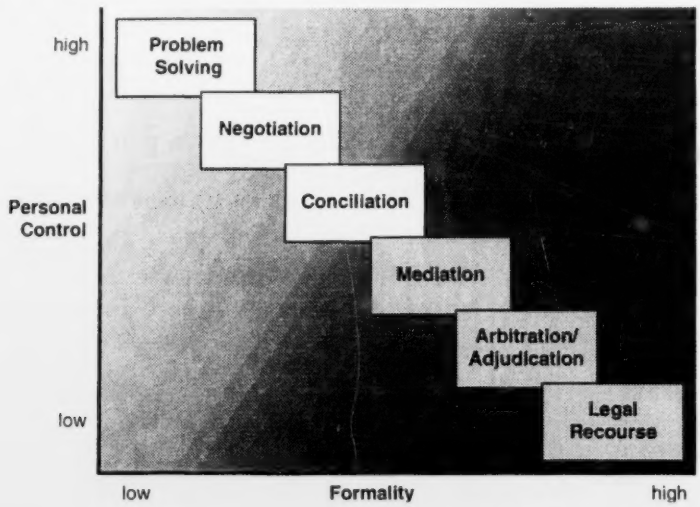
Possible Approaches

The most local and informal approaches are problem solving, negotiation, and conciliation. They are the focus of this handbook.

Informal dispute resolution involves conversations with the person or people who are most directly involved in the dispute and are most likely to help find solutions. Issues are discussed in a direct and informal way. This can be a rewarding and positive process, and far more efficient than some of the more formal approaches.

The first three approaches to dispute resolution—problem solving, negotiation, and conciliation—are the most local and informal approaches and, therefore, the focus of this handbook.

Approaches to Dispute Resolution



The success of informal dispute resolution depends on people being able to resolve a dispute themselves. The more formal the approach, the more power an outside third party has over the process. In extreme cases, a third party makes a legally binding decision about the outcome.

Problem Solving is the most informal approach. It involves people working together in a voluntary and co-operative way to overcome their differences. In this approach, people have the greatest degree of control over the process and flexibility in the outcome. They do not come to a meeting knowing in advance how they want the problem solved. They are open to ideas and suggestions, and they are willing to find solutions that work for everyone. This approach can only be successful if people are able to agree about what the issues are and are willing to work together to resolve them. Everyone's needs and expectations must be taken into consideration. The benefit is they work it out themselves. No third parties are involved.

Negotiation is similar to problem solving. The difference is that, before they meet one another, people already have solution(s) in mind that would meet their needs. In negotiation, people explore the issues, as well as expectations, motivations, and goals, and they try to find common ground between them. This common ground may be the basis for a successful resolution. In this approach, people generally work things out themselves, but sometimes an outside facilitator may be helpful.

Conciliation is a process that involves the encouragement and support of an outside third party acting as a conciliator to help guide the process. The conciliator must not take anyone's "side." He or she meets with the people in dispute and helps them identify issues, find common ground and shared goals, and look for solutions. Usually the conciliator meets with the disputing parties one at a time before they meet face-to-face on their own. Sometimes the conciliator acts as a go-between, which is known as "shuttle diplomacy." A conciliator is like a coach on a team, providing feedback and suggestions. The people in dispute remain in control of the process.

The more formal approaches to dispute resolution are mediation, arbitration/ adjudication, and legal recourse. They are outside the scope of this handbook.

Formal approaches to dispute resolution—mediation, adjudication or arbitration, and legal recourse—become necessary when people in dispute no longer feel they can resolve the dispute or control the situation by themselves. Because these approaches require varying degrees of control by outside third parties, they remain outside the scope of this handbook. (Please see "Suggested Resources" for more information.)

Mediation, like conciliation, is a co-operative, voluntary problem-solving process involving an impartial third party. The mediator must be neutral and acceptable to everyone involved in the dispute. The mediator helps define the issues and find solutions that work for everyone. The mediator helps guide the process, but the people in dispute are responsible for resolving it themselves. Mediation is more formal than conciliation.

Arbitration / Adjudication occurs when the dispute is taken to an outside third party for resolution. In arbitration, a third party (or arbitrator) hears both sides of a dispute and then makes a decision or judgment. In adjudication, people are often represented by lawyers, who present their information to an individual, who then makes a decision or judgment. The people in dispute have limited control over the process or the outcome. The judgment may be non-binding or binding.

Legal Recourse is the most formal approach to dispute resolution. In legal recourse, people are typically represented by lawyers who present evidence regarding both sides of the dispute at a public hearing. A judge or jury makes a decision based on the merits of the case. The decision is binding.

All approaches to dispute resolution are about resolving differences and working toward solutions. Informal dispute resolution is about building and maintaining an atmosphere of trust and goodwill among schools, families, and communities.

Resolving the Dispute Informally

Once you have decided to begin an informal dispute resolution process—in other words, once you and the other(s) in dispute have agreed to try working things out on your own without the help of a third party—these are the basic steps and guidelines to follow:

Determine who is involved. It is important to identify who is most directly involved in the dispute, and most likely to be able to influence the outcome. (In some cases, for example, a person might be directly involved but have little or no influence or control over that situation.) It may be necessary to gather information about the rights, roles, and responsibilities of the people who are involved, including your own. (Please see Appendix 1: Rights, Responsibilities, Duties, and Powers for more information.)

Contact the person most directly involved. If that person is not available, leave phone numbers and times when you can best be reached. When you do have an opportunity to have a conversation, voice your concerns calmly and clearly. Often, disputes can be resolved at this stage.

Arrange a meeting. If it appears that the dispute cannot be resolved with a simple phone call, the first thing to do is to arrange a meeting. You and the other person or people involved should agree on a time and place that works for all of you.

Prepare. It is important to find out about the protocols and procedures for dispute resolution that may be in place in your local school and school division. Be aware of what options are available, and whom to contact if solutions are not agreed upon. Find out what supports and resources are available within your school, school division, or the community. Gather information. Find out the facts about the dispute. Understand the rights, roles, and responsibilities of the people who are involved. Be prepared to clearly state your concerns, motivations, and goals. Be prepared to listen and offer feedback. Be prepared to ask questions. There may be solutions that you had not even considered.

Meet. It is important to be aware of how you can help create a balanced power situation, a warm and caring climate, and a fair and open process. Make it clear that you are willing to co-operate to resolve your differences. Agree upon an approach to resolve the dispute. The best place to start is the most informal level, which is problem solving. Make sure you have explored all possibilities of problem solving before moving to another level. Set guidelines and ground rules. Listen actively. Ask open-ended questions. Check one another's understanding of what has been said. Respect each other's point of view. Look for common ground. Identify the nature of the problem, your goals, and the best way to reach a solution. If a student is involved, stay focused on the benefits for the student. Avoid emotional hooks and unrelated issues. Keep out of the realm of personal attacks.

Conclude the meeting. When the meeting is over, make sure to put the solutions you have agreed upon in writing. This should be in clear language and it should include a plan to carry out these solutions. Set a date to discuss the success of the plan. The meeting may have ended with people agreeing to disagree. If so, it is important to have a conversation about whether the matter will be closed or if further steps in the dispute resolution process will be taken.

Follow-up. Make sure there is a follow-up meeting to discuss the success of the dispute resolution plan. If the meeting does not take place face-to-face, a follow-up phone call is recommended. (Please see Appendix 2: Problem-Solving/Dispute Resolution Checklist for more information.) Even if the dispute has not been successfully resolved, a follow-up meeting or phone call to check in or "touch base" is a good idea. This is the kind of ongoing communication that builds, rebuilds, and maintains the trust that is so important in a positive school environment.

Three informal approaches were described on pages 12 and 13.

Problem Solving

The most informal approach, problem solving, involves people in dispute working together to come up with mutually acceptable solutions to their differences. Problem solving is the most informal approach to dispute resolution, and also the foundation of all approaches to dispute resolution, both formal and informal.

Problem-Solving Process:

1. Decide whether the issue is worth pursuing.
2. Invite the person to meet.
3. Ask the person to describe how he or she sees the situation.
4. Describe the situation as you see it.
5. Summarize the issues that need to be resolved.
6. Discuss one issue at a time.
7. Brainstorm possible options for each issue.
8. Generate solutions that work for everyone.
9. Put the solutions in writing.
10. Set a date to discuss how the solutions are working.

Negotiation

- In a face-to-face meeting, follow the same guidelines as you would in a problem-solving approach.
- Negotiation involves coming to the table with pre-set solutions in mind, so it is important that everyone is prepared to state their goals clearly.

Note: a facilitator may be involved to assist the process.

Conciliation

- In a face-to-face meeting, follow the same guidelines as you would in a problem-solving approach.
- If a third party or conciliator (or if you are that third party) has been invited into the process, it is necessary that he or she does not take sides. The conciliator must be neutral, remain neutral, and appear neutral to everyone involved.
- Conciliation is considered one of the informal approaches to dispute resolution, and the move from negotiation to conciliation often happens naturally. The person who takes on the role of conciliator will often be familiar with the dispute and the people in dispute. The conciliator must be trusted by everyone involved.

If the people in dispute cannot agree to engage a conciliator, chances are they are no longer willing or able to work together to resolve the dispute. At this point, it may be necessary to move to a more formal approach, such as mediation. It is important to keep in mind that a more formal approach means a more formal commitment of accepting help from an outside third party. A more formal approach also involves giving up a considerable amount of control over the process.

At all times, it is important to remain clear about goals. It could happen, for example, that someone in a dispute has reached a point where all he or she wants is an outside third party to make a decision about resolution. If this is the case, that person may no longer share the goals of informal dispute resolution. He or she may have goals that require a more formal process, such as arbitration.

It is hoped that people will work together in good faith at all stages of the process to resolve the dispute quickly and fairly and not prolong the process unnecessarily.

If the dispute resolution process is moving to another level, it is important that everyone at the last level is notified. It is also important to document work that has been done at every level. Documentation ensures that no vital steps are missed, and it helps keep the process moving smoothly and efficiently. (Please see Appendix 3: Dispute Resolution: Troubleshooting Checklist for more information.) It also allows people to verify the work they have done and keep the process transparent.

It is important to understand that if a child is in need of protection, informal approaches to dispute resolution cannot be used. If legal issues are involved, informal approaches to dispute resolution may not be advisable.

Line of Communication

An important part of understanding informal dispute resolution is understanding the line of communication in the education system. This means knowing whom to contact, and when to contact them. It is also important that everyone involved in informal dispute resolution follows the "rules" of the line of communication.

Starting at the most local level of a dispute means starting with the person or people who have the most direct hands-on involvement with the dispute. The most local level is also known as the point of origin. If the dispute cannot be resolved at the most local level, then the next person in the line of communication can be contacted. If the dispute still cannot be resolved, then the next person in the line of communication can be contacted, and so on.

For example, if parent(s) are concerned about a situation that has to do with a classroom, they should first contact the teacher. If the situation cannot be resolved with the teacher, the parent(s) should find out if there is anyone else who should be contacted before contacting the principal. No one should be skipped in the line of communication. The principal should be contacted before staff at the divisional level are contacted. Divisional staff should be contacted before the superintendent is contacted.

Similarly, if a teacher is concerned about a classroom situation that has to do with a student, and if that student could be helpful in resolving the problem, the student should be spoken with before parents are contacted.

It is important to keep in mind that these are guidelines and not fixed rules. Each situation is unique, and each parent, student, teacher, and administrator has feelings that need to be taken into consideration. If, for example, a teacher is not comfortable contacting a parent, or if a parent is not comfortable contacting a teacher, these concerns are serious and should be treated with respect. Creative problem-solving techniques could be useful in these situations. Perhaps the teacher in question would be more comfortable asking the principal to contact the parent. Perhaps the parent would be more comfortable bringing someone along to a meeting with a teacher, and so on.

Most schools and school divisions in Manitoba follow a line of communication similar to the one below.

School

- Student
- Teacher or parent (depending on where the dispute originates)
- Other team member as appropriate
- Principal

School Division

- Senior administrative staff (e.g., coordinators, consultants, directors)
- Superintendent

School Board

- Board of trustees
- Elected trustee*

* Please note that parents, community members, and school employees are invited to approach school trustees at any time. In a dispute situation, however, the next in the line of communication after the superintendent should be the board of trustees as a whole, not the individual trustees.

There are also people and organizations who may not be directly involved with informal dispute resolution, but they do have an important role in assisting with dispute resolution. For more information, please see "Suggested Resources."

Please keep in mind that the Minister of Education, Citizenship and Youth has a wide range of "big picture" responsibilities having to do with education matters throughout the province. Most decisions about day-to-day school matters are made at the school level. It is recommended that schools and school divisions ensure that there are contact lists outlining whom parents or community members should call with questions or concerns about specific school matters.

Again, Manitoba Education, Citizenship and Youth is available to provide information about a wide range of topics, including information that can be helpful for people who are trying to resolve disputes.

For more information, please go to <http://www.edu.gov.mb.ca/ks4/> or call 1-866-626-4862.

Answers to questions often asked about dispute resolution are provided in Appendix 4: Common Questions.

Roles and Responsibilities

It may be helpful for anyone involved in a school-related dispute to have a basic understanding of the roles and responsibilities of the people in the school system, including students, parents, teachers, principals, administrators, superintendents, and school trustees. (For detailed information, please see Appendix 1: Rights, Responsibilities, Roles, and Duties.)

It is the responsibility of each **student** to engage in the learning process, and to respect the school environment. Each student should feel valued and safe, and should be able to succeed without concern for unnecessary disruption.

It is the responsibility of **parents** to work together with educators to ensure their child has a successful school experience.

Educators are responsible for providing appropriate educational programming and working with parents toward achieving that goal.

The **principal** is responsible for running the school, overseeing the learning environment, and a wide range of school matters. These include the safety and discipline of students and care and maintenance of the building and grounds.

Student service administrators have a leadership role in services for students with diverse learning needs.

The **superintendent** is the most senior administrator in the public school system. He or she provides leadership in all matters of education and reports to the board of trustees.

The **school board** consists of local trustees who are elected to represent their community. Together, trustees make up the school board. The school board determines school division policy and oversees its implementation.

Local Policy

When developing dispute resolution policy, it is essential to consider the unique needs of students, families, and communities. Information should be included concerning protocols and lines of communication, as well as rights, roles, and responsibilities of parents, educators, and members of the school and school administration.

The process should be fair, equitable, and based on open communication. It should be structured such that people in dispute are able to clearly understand the steps and guidelines. It should be flexible enough that people are able to resolve the dispute themselves, as well as move freely among approaches. If necessary, people in dispute should be able to step back and evaluate the situation.

In the rare situation where informal approaches do not address the issues at the heart of the dispute, and if people in dispute agree they need to move into a more formal approach, there should be procedures in place that allow for movement into more formal dispute resolution processes.

CHAPTER 4: HELPFUL HINTS

Although there are basic procedures that can be followed in any dispute resolution situation, a successful outcome depends on the attitudes and skills that people bring to the table. These are some hints and suggestions that might help guide the process.

Be flexible: Consistency is important, but so is flexibility. Schools, school divisions, communities, and families operate according to certain systems. Decisions, policies, and procedures are often made for the benefit of the group at large, but within that group there must be a place for each person to thrive. Flexibility means being willing to respect each other's positions, suggestions, and points of view. It also means being willing to consider a variety of possible solutions to a problem. In the co-operative environment of informal dispute resolution, there is nothing wrong with changing your mind. Sometimes there is nothing more productive or positive than knowing—and admitting—when you are wrong.

Be timely: When a dispute arises, the goal is to resolve it quickly and fairly. But it is also important to have time to gather information and prepare. In some situations, emotions may be high, and a "cooling off" period may be helpful. On the other hand, don't leave things for too long. A situation left too long may prove unproductive or even counterproductive. The opportunity for exploring a wide range of possible solutions may have passed.

Create a comfortable meeting environment: In dispute resolution situations, tensions can be high and people are often uncomfortable. This tension may not disappear completely, but there are many ways to help make one another more comfortable. For example, when setting up a meeting, the time should be convenient for everyone. The room should be comfortable without being distracting. Everyone should be able to see and hear each other easily. People should sit facing one another without things like desks between them. An offer of coffee, tea, or water might be a good way to begin. It is important to think about things that set the tone of a meeting, like addressing each other by first names or by formal titles (Mr. Ms/Miss or Mrs.). Humour can be a good way to "break the ice" and put each other at ease, as long as it does not cause offense or make the situation seem trivial.

Deal with anger: Anger can be expressed and understood in constructive and positive ways. But if you or another party are feeling angry, it may not be the best time to try resolving a dispute. If you are in a dispute situation with someone who is angry, you may choose to play the role of the patient listener. This could allow that person to "vent" or voice the anger until he or she is calm enough to proceed. If you choose this approach, it is important not to take these comments personally, feel like you must defend yourself, or become hooked into an argument. An acceptable option is to calmly explain that now may not be the best time to be having this conversation, and suggest another time.

Deal with issues: It is normal for people to have disputes. The goal of informal dispute resolution is not to avoid all disputes, but to deal with issues positively and productively as they come up. Ignoring or avoiding decisions that need to be made could cause more problems in the long run. Don't let little things become big things. Any time is a good time to encourage open, honest communication and co-operative problem solving.

Diagnose the situation: It is important to be able to define and describe the nature of a dispute as well as your feelings about a dispute. But it is also important to be able to know when you are no longer in control, or no longer wish to be in control of a situation. Sometimes people reach a point where they are unwilling or unable to resolve a dispute without outside help. If this happens, it may be necessary to move to a more formal approach. It is important to keep in mind that if anyone becomes upset or uncomfortable, the meeting can be stopped and rescheduled.

Establish ground rules: It is always a good idea to establish "ground rules" at the beginning of a meeting. These may involve a discussion about "rules" of behaviour and communication, and the kinds of things that could be grounds for stopping a meeting. If, for example, someone becomes overly emotional, disrespectful, or unco-operative, if the meeting becomes hopelessly sidetracked, or if it becomes bogged down in details and progress is not being made, it may be a good idea to reschedule the meeting. If a meeting does have to be stopped and rescheduled, it is important to think about why the meeting did not succeed. There may be ways you can contribute to a more positive meeting next time around. You can only control your own attitudes and behaviour. It is important to go into all meetings with a co-operative attitude and an open mind.

Explore training options: We all benefit from learning more about dispute resolution. It is advisable that anyone who deals with differences of opinion, disputes, and co-operative problem solving on a regular basis learn more about the dispute resolution process. Even for those who do not deal with disputes on a regular basis, the skills that are developed in dispute resolution training are the skills that benefit every aspect of positive living. (Please see "Suggested Resources" for more information.)

Focus: The best way to keep a meeting productive and focused is to be clear about the purpose of the meeting, the key issues that are being discussed, and the motives and the goals of the people involved. The purpose of the meeting will likely have to do with a student or students. This means the meeting should be about working together in the best interest of the student. A good way to keep a conversation focused is to state the purpose of the meeting at the outset, and remind each other of that purpose if the meeting becomes sidetracked. This could be done, for example, by asking a question like: "How does this relate to the purpose of our meeting?" or "How will this benefit the student?"

Follow-up: No matter what the outcome of a dispute resolution meeting, it is necessary that communication lines are kept open and one or more follow-up meetings take place. These meetings may be about evaluating the success of a dispute resolution plan, discussing further steps an individual may take, or they may be "touching base" and agreeing to move on.

Share information: It is important to be honest, open, and forthcoming with information. It is also important to realize that confidentiality and privacy must be respected. In some situations it may be wrong to share information. It could be against school or school division policy or even the law. (Student privacy is protected under *The Freedom of Information and Protection of Privacy Act* [FIPPA] and *The Personal Health Information Act* [PHIA].)

Work together: One thing that can make it difficult to understand another person, or to make ourselves understood, is to assume that there is a right and wrong position in a disagreement. Creative problem solving depends on letting go of this way of looking at things and being open to the possibilities of working together. People in a dispute resolution process are not opponents; they are partners.

Learning how to resolve disputes positively is an ongoing process. Please consider using this handbook as a guide. If you are interested in learning more about dispute resolution, there are resources available in your community and training opportunities available to you as a parent, educator, administrator, or member of the community.

Informal dispute resolution is about more than dealing with problems or putting out fires on a case-by-case basis. It is about building bridges between and among our schools, families, and communities. It is about creating a caring, productive, and co-operative environment where our students receive positive messages and learn positive habits set by positive examples.

Informal dispute resolution is about our schools, families, and communities working together to build relationships that support learning.

APPENDICES

APPENDIX 1: *RIGHTS, RESPONSIBILITIES, DUTIES, AND POWERS* *AS OUTLINED IN* THE PUBLIC SCHOOLS ACT *AND THE* EDUCATION ADMINISTRATION ACT

Please note that this information is general and not specific to informal dispute resolution.

Rights of Students

- To attend a designated public school in their home division/district
- To receive regular testing and evaluation of academic performance and achievement
- To receive at least once a year and free of charge a transcript or record of academic achievement
- Subject to certain conditions, have access to his or her student file if the student has attained the age of majority
- To be accompanied by a parent or other adult to assist and make representations to the school board before a decision is made to expel

Rights of Parents

- To enrol his or her child in public school
- To be informed regularly of the student's attendance, behaviour, and academic achievement
- To have access to their child's student file, subject to conditions
- To receive information about programs that are available
- To be informed of discipline and behaviour management policies of school/division, and be consulted before the policies are established or revised
- To form an ACSL (Advisory Council for School Leadership) where a petition has been signed by 10 or more parents
- To be a member of an ACSL, local school committee, or school committee
- To accompany the child and assist him or her to make representations to the school board before a decision is made to expel the child

Responsibilities of Students

- To attend school and classes regularly and punctually
- To comply with discipline and behaviour management policies
- To complete assignments and other related work required by teachers or other employees of the school division
- To treat with respect school property and property of others employed at or attending the school
- If property of a school/division is destroyed, damaged, lost, or converted by the intentional or negligent act, the child and his or her parents are jointly and severally liable to the school board for the loss

Responsibilities of Parents

- To co-operate fully with teachers and other school/division employees to ensure child complies with school/division discipline and behaviour management policies
- To take all reasonable measures to ensure the child attends school regularly
- To assume responsibility jointly and severally with the child where school/division property is damaged by the intention or negligent act of that child

Duties of Teachers

1. To teach diligently and faithfully according to terms of agreement with school division and according to *The Public Schools Act* and regulations
2. To keep a record of attendance
3. To provide to the Minister or field representative any required information
4. To notify the principal of any pupil attending school who he or she believes has been exposed to or is suffering from a communicable disease
5. To seize or cause to be seized and take possession of any offensive/dangerous weapon brought to school by a student and hand over same to the principal
6. To provide progress reports as determined by the school board
7. To admit to the classroom student teachers enrolled in a teacher education institution approved by the Minister, for the purpose of practice teaching and of observing instruction
8. To suspend a student for up to two days when that student engages in conduct the teacher considers detrimental to the classroom learning environment, or which contravenes a school code of conduct

Duties of Principals

- To supervise buildings and grounds during school hours, including safety, repairs, cleanliness, et cetera
- To admit (or not admit) visitors to school premises
- To remove persons from school premises who are causing a disturbance or interruption, trespassing, or who are present for a purpose not reasonably associated with the normal functioning of the school
- To provide each student, free of charge, a transcript of his or her record of achievement at least at the end of each school year
- To supervise and discipline each student in the school from the time of the student's arrival at the school until the student's departure for the day, including the noon hour for those students who are eligible to remain at school, and including school field trips
- To provide disciplinary authority over students from the period they enter in, ride on, and alight from a school bus

- To suspend students for up to six weeks for engaging in conduct that the principal considers injurious to the school's welfare or educational purpose, except where, by resolution, the school board has prohibited the principal from suspending a pupil for more than one week without the superintendent's approval
- To prepare the plan for loading and unloading of school buses; to designate loading and unloading zones; to supervise or assign a responsible person to supervise loading and unloading
- To oversee the testing and promotion of students
- To implement optional supplementary curricular and extracurricular activities, subject to approval of the school board and Minister

Duties and Powers of Superintendents

Upon delegation by the school board, a superintendent may:

- Employ, within the establishment and budgetary limits set by the school board, necessary staff, except senior officers and employees holding administrative or supervisory positions
- Appoint attendance officers
- Administer the day-to-day affairs of the division
- Supervise teachers, vice-principals, and principals
- Suspend a student from school for up to six weeks for engaging in conduct that the superintendent considers injurious to the school's welfare

Duties and Powers of School Boards

- To provide or make provision for education in Grades 1 to S4 inclusive for all resident persons who have the right to attend school
- To provide adequate school accommodation for the resident persons who have the right to attend school
- To regulate the use of public school buildings and property
- To keep school buildings, contents, and premises in proper repair
- To employ teachers and other personnel as may be required, prescribe their duties, and arrange for the payment of their salaries
- To determine the number, kind, grade, and description of schools to be established and maintained
- To determine the times when and the manner in which reports and other information respecting pupils shall be delivered or provided or made available by teachers
- To report to the Minister any teacher employed in a school within their jurisdiction who has been charged with or convicted of an offence under the *Criminal Code of Canada* relating to the physical or sexual abuse of children
- To provide to school advisory councils, local school committees, and school committees any information that is reasonably necessary for their operation
- To provide to the Minister, at the times and in the form and manner determined, such information as is required

- To establish written procedures respecting the collection, storage, retrieval, and use of information respecting pupils
- To provide or make provision for the transportation of all resident pupils to and from school who would have more than 1.6 kilometres to walk in order to reach school, or for any pupils, regardless of distance, who are unable to walk to school because of physical or other handicaps
- To report any offenses committed by a staff person or convictions of a staff person concerning the physical or sexual abuse of children, or where there are implications for the safety, health, and well-being of students

In addition, a school board has the right

- To enter into an agreement with the Minister to establish and conduct special courses that are not part of the public schools program
- To provide, with or without charges, lunches to pupils
- To provide materials, appliances, and equipment for school sports and games and supervise and direct sports and games during school terms or vacation
- To purchase books and other instructional materials to be given to the pupils or to be loaned to them with or without charge
- To provide technical and vocational instruction as may be approved by the Minister for pupils enrolled in or attending the schools
- To establish and administer, with the consent of the Minister, a system of medical and dental inspection of pupils and employees, including arrangements for attending to the health, cleanliness, and physical condition of the pupils and employees
- To establish, operate, maintain, and regulate a system of patrols for the protection of children from traffic accidents
- To suspend or expel any pupil who, upon investigation by the school board, is found to be guilty of conduct injurious to the welfare of the school
- To grant a leave of absence to any employee, and grant the employee a monthly allowance as the school board deems advisable

Powers of Minister of Education, Citizenship and Youth

- To order a public school to be closed in an emergency or where it is deemed in the best interest of the community, and cancel the order where the emergency no longer exists
- To release information relating to pupil achievement and the effectiveness of programs in public or private schools
- To enact regulations as are deemed necessary with respect to:
  - duties and qualifications of teachers and principals
  - classification, organization, discipline, and governance of public schools
  - establishment of school advisory councils, including their formation, composition, and mandate
  - prescription of the minimum standard of academic and professional education acceptable for the certification of teachers

- suspension of pupils including authorization to suspend, the circumstances under which pupils may be suspended, the periods of suspension that may be imposed, and any other matter related to suspensions
- prescription of the records to be maintained by a school board
- prescription of the standard to be attained by pupils on entering or leaving any grade or level in any school
- prescription of methods and procedures for the assessment and evaluation of any aspect of pupil achievement and for the assessment of courses of study and programs
- information that school boards are required to provide to the Minister, including the times and form and manner in which it is to be provided
- information concerning pupil achievement that school boards are required to release to the public, and procedures governing the release of the information
- generally all matters having to do with education

APPENDIX 2: PROBLEM-SOLVING/DISPUTE RESOLUTION CHECKLIST

Before You Begin

- ❑ You and other people in dispute agree on the best approach to resolution.
- ❑ You agree on a process and ground rules.
- ❑ You are comfortable with your goals and the potential of the process to meet them.
- ❑ If you are involved in a third-party role (as a facilitator, mediator, or conciliator), you are neutral and seen as neutral by everyone involved.

While Creating Resolution

- ❑ You listen actively to the others by asking open-ended questions, discussing points that are not clear, and checking your understanding of what you think others have said.
- ❑ You communicate clearly by speaking about the issues directly, asking for feedback if others appear to have misunderstood you, and stating facts.
- ❑ You discuss issues in a respectful manner.
- ❑ You work towards a common understanding of the issues.
- ❑ You strive to keep the process moving by avoiding emotional hooks and unrelated issues.

Wrapping Up

- ❑ Solutions are put in writing.
- ❑ You agree on a plan to implement solutions.
- ❑ You set a date to evaluate the success of the solutions and make revisions, if necessary.

APPENDIX 3: DISPUTE RESOLUTION: TROUBLESHOOTING CHECKLIST

When moving between one level of dispute resolution and another, it is a good idea to re-focus your position and restate your goals. While doing so, it may be helpful to think about how the dispute resolution process could have been more successful.

These are some questions you may want to ask yourself. You may also want to think about how the other person or people in the dispute might answer them:

- ❑ Were you dealing with the person who was most able to work with you to resolve the dispute?
- ❑ Were you working with the approach that was most likely to get satisfactory results?
- ❑ Were the policies and procedures of the approach clear and understandable?
- ❑ Were you able to identify and discuss the results you were hoping for?
- ❑ Were you keeping the student at the centre of the discussion at all times?
- ❑ Were you clear about whose needs were being met?
- ❑ Were you really listening?
- ❑ Did you feel that you were being listened to?
- ❑ Was the meeting timely? Was it too early or too late?
- ❑ Was the meeting environment comfortable and welcoming?
- ❑ Were you working toward positive solutions at all times?
- ❑ What were your goals? Were they realistic?
- ❑ Were you committed to resolving the dispute?
- ❑ Was there mutual respect, tolerance, and acceptance?
- ❑ Were you being open to each other's values, differences, and ways of communicating and solving problems?
- ❑ If you were wrong, were you willing to admit it?

APPENDIX 4: COMMON QUESTIONS

What are the legal responsibilities of a parent or guardian to provide his/her child with an education?

The Public Schools Act states that every parent or guardian must ensure that a child of compulsory school age attends school.

Compulsory school age means any person over the age of 7 years and under the age of 16 years.

Exceptions whereby a child may be excluded from school on a yearly basis include:

- A child is 15 years of age and has approval from school authorities and the parent(s)/legal guardian(s) to enter the workforce, take apprenticeship or other training.
- A child is attending private school.
- A child is being home schooled; the Home Schooling Office of the Department of Education, Citizenship and Youth is notified, and the parent(s)/legal guardian(s) provide the Home Schooling Office with a comprehensive education plan and submit two annual reports.

A child may be excused on a daily basis:

- If a child is unable to attend because of illness (or other unavoidable cause).
- On any day regarded as a holy day by the church or religious denomination with which the child is affiliated.

Parents or guardians can be fined for failing to comply with the legal responsibilities to have children attend school. Parents should consult with the school principal before removing a child from school for any reason.

At what age can a child begin school?

In Manitoba, every person between the ages of 6 and 21 has the right to an education. There are no exceptions or qualifications to this right. Students who have special needs have the same right to education.

Children must begin school by the age of 7.

Under this section in *The Public Schools Act* (PSA), there are certain qualifications regarding age and time periods. For further and more specific information, check sections 258(2) and 259 of the PSA.

What if the school and parents do not agree on decisions that are made about the student or the programming that the school provides?

Part of the parent's role includes advocating for her or his child. If parents are not satisfied with a school decision, they have the right and a responsibility to share their concerns with those involved with the decision.

The first step is communication between the teacher and the parent. Often, this will be enough to clarify the situation and reach a common understanding. Should this not be the case, however, the next step would be to involve the principal. Most issues are dealt with effectively at this level to the satisfaction of all. However, if an agreement is still not possible, concerns may be brought to the attention of senior school division administration. A parent has the right to address the elected board of trustees with his or her concerns. Parents can also contact the school division office if they would like to bring an issue to the attention of the board of trustees.

Who determines the curriculum that is taught?

The curriculum is developed by Manitoba Education, Citizenship and Youth and is approved by the Minister of Education, Citizenship and Youth. Implementation of the curriculum is the responsibility of the local school board.

For Early Years, Manitoba Education, Citizenship and Youth mandates a core of required courses that includes language arts, mathematics, science, social studies, health, music, art, and physical education.

In the Middle Years, the mandated curriculum maintains the same core subjects. During these years, optional courses may be chosen by the student, such as music, industrial arts, home economics, and art.

The number of options available to the student expands in the Senior Years. This allows students to mature by exploring areas of interest, and provides students with curriculum options that will assist them in attaining the goals they have after they leave school. The Senior Years curriculum is divided between required and optional courses.

Who represents parents in the public school system?

Generally, parents are represented by their elected school official (i.e., school trustee). However, there are other organizations, such as home and school associations, that contribute significantly by lobbying for changes within the educational system.

Who is responsible for determining a student's programming?

Parents and teachers should work together to identify the child's learning needs and develop an appropriate plan. While the classroom teacher is responsible for a student's programming, parents have the opportunity to be meaningfully involved in the education of their child.

School divisions and districts are encouraged to make information about student services readily available to the community.

Parents should discuss any concerns about programming with the classroom teacher first. Most issues can be dealt with at this level. If discussion with school division staff is required beyond the level of the classroom teacher, please refer to the line of communication on pages 17 and 18.

What safeguards exist regarding access to information about a student?

Student files are strictly confidential and are protected by *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). They are open only to parents/guardians and school personnel. If it is important that the information be shared with other professionals, such as a family doctor, written permission must be obtained from the child's parents.

What rights do schools have to discipline students?

It is the principal's responsibility to oversee the behaviour of each student from the time the student arrives at school until the time he or she leaves for the day.

Also, under *The Public Schools Act*, the principal must oversee the behaviour of students towards one another on their way to and from school and while being transported by the school system.

School divisions have local policies in place that parents/guardians should be aware of. Under *The Public Schools Act*, as well as supporting regulations, the school board, superintendents, principals, and teachers have the right to discipline students for behaviour deemed to be "injurious to the welfare of the school." Teachers and principals are required to maintain order and discipline.

The administration of discipline can come in the form of suspension, or, in extreme cases, expulsion. (A student can only be expelled by a motion of the school board.)

All disciplinary measures must be in compliance with the *Criminal Code of Canada* and existing child welfare acts.

Who is responsible for student safety at school?

The principal is responsible for the safety of all students in his or her school from the time of the student's arrival at the school until the student's departure for the day, including the noon hour for those students who are eligible to remain at school. As well, the principal is responsible for students for the period of time they enter in, ride on, and alight from a school bus (as the school bus is considered an extension of the classroom) and during approved field trips.

SUGGESTED RESOURCES AND BIBLIOGRAPHY

SUGGESTED RESOURCES

For additional information about dispute resolution or related questions, please contact:

School Division

- School Division Office (please check your local telephone directory)
- School Division Website
- School Parent Council or Advisory Council for School Leadership (ACSL) (contact school principal)

Organizations:

- **Manitoba Association of Parent Councils (MAPC)**

  The mission of the Manitoba Association of Parent Councils (MAPC) is to support, promote, and enhance meaningful involvement and participation of parents in order to improve the education and well-being of children in Manitoba.

  Telephone: 956-1770 or 945-6977

  Address: 1005 - 401 York Avenue, Winnipeg, MB R3C 0P8

  Website: www.mapc.mb.ca

- **Manitoba Association of School Superintendents (MASS)**

  The mission of the Manitoba Association of School Superintendents (MASS) is to provide leadership for public education by advocating in the best interests of learners, and support its members through professional services.

  Telephone: 487-7972

  Address: 375 Jefferson Avenue, Winnipeg, MB R2V 0N3

  Website: www.mass.mb.ca

- **Manitoba Association of School Trustees (MAST)**

  The mission of the Manitoba Association of School Trustees (MAST) is to ensure quality public education for Manitoba students through effective, locally elected boards of trustees.

  Telephone: 233-1595

  Address: 191 Provencher Blvd., Winnipeg, MB R2H 0G4

  Website: www.mast.mb.ca

- **Manitoba Teachers' Society (MTS)**

  The Manitoba Teachers' Society (MTS) envisions a public education system that provides equal accessibility and equal opportunity for all children, that optimizes the potential for all students as individuals and citizens, that fosters lifelong learning, and that ensures a safe learning environment respectful of diversity and human dignity.

  Telephone: 888-7961

  Address: 191 Harcourt Street, Winnipeg, MB R3J 3H2

  Website: www.mbteach.org

- **Manitoba First Nations Education Resource Centre (MFNERC)**

  The mission of MFNERC is to improve the quality and standard of education for First Nations students.

  Telephone: 940-7020

  Address: 1214 Fife Street, Winnipeg, MB R2X 2N6

  Website: www.mfnerc.com

- **Student Services Administrators Association of Manitoba (SSAAM)**

  SSAAM is committed to making a difference through the creation of a community that will advocate for good practice with respect to the education of all students and the provision of professional support to its members.

  The telephone and fax numbers of current SSAAM contacts are available on their website.

  Website: http://lb.pein.org/ssaam/ssaam.htm

Government:

- **The Children's Advocate**

  The Children's Advocate is responsible for advocating for children in care.

  Telephone: 945-1364 or toll free: 1-800-263-7146

  Address: 102 - 500 Portage Avenue, Winnipeg, MB R3C 3X1

  Website: www.childrenadvocate.mb.ca

- **The Ombudsman**

  The Ombudsman investigates complaints from the public concerning decisions made by government departments or municipal bodies. The Ombudsman does not have jurisdiction over educational bodies except in complaints relating to access of information and privacy rights under *The Personal Health Information Act* (PHIA) and *The Freedom of Information and Protection of Privacy Act* (FIPPA).

  Telephone: 982-9130 or toll free: 1-800-665-0531

  Address: 750 - 500 Portage Avenue, Winnipeg, MB R3C 3X1

  Website: www.ombudsman.mb.ca

- **The Manitoba Human Rights Commission**

  The Manitoba Human Rights Commission investigates possible violations of The Human Rights Code.

  Telephone: 945-3007 or toll free: 1-888-884-8681

  Address: 7th Floor - 175 Hargrave Street, Winnipeg, MB R3C 3R8

  Website: www.gov.mb.ca/hrc

Community Resources:

Dispute resolution and mediation services are available in many communities. Please consult your local Yellow Pages under "mediation services."

Websites:

- **The Conflict Resolution Network Canada** offers information and materials for resolving disputes.
  Website: www.micer.ca
- **The Conflict Resolution Network** provides suggestions for resolving disputes.
  Website: www.crnhq.org
- **The Council for Exceptional Children (CEC)** supports all aspects of the education and development of students who have disabilities or who are gifted.
  Website: www.cec.sped.org
- **The Canadian Educational Policy and Administration Network (CEPAN)** provides information about school division policies from across Canada.
  Website: http://www.cepan.ca/

BIBLIOGRAPHY

Epstein, Joyce. *Involving parents in education* [videocassette]. Alexandria, VA: Association for Supervision and Curriculum Development, 1992.

_ _ _ . *Parents our partners: a look at parent involvement in Langley schools* [videocassette]. Langley, BC: Rogers Community 4 Langley NTV, 1995.

_ _ _ . *School, Family, and Community Partnerships: Preparing Educators and Improving Schools*. Boulder, CO: Westview Press, 2001.

Legislative Assembly of Manitoba. *The Public Schools Act*. C.C.S.M. c. P250. Winnipeg, MB: Legislative Assembly of Manitoba, n.d.

Manitoba Education, Training and Youth. *Supporting Inclusive Schools: A Handbook for Student Services*. Winnipeg, MB: Manitoba Education, Training and Youth, 2001.

Michel, George J. *Building Schools: The New School and Community Relations*. Lancaster, PA: Technomic Publishing Company, Inc., 1997.